

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESAL PRICE LITIGATION
THIS DOCUMENT RELATES TO: TRACK 2 SETTLEMENT

MDL No. 1456

CIVIL ACTION: 01-CV-12257-PBS

Judge Patti B. Saris

**[PROPOSED] ORDER GRANTING CLASS PLAINTIFFS' MOTION FOR CY PRES  
DISTRIBUTION OF REMAINING TRACK TWO SETTLEMENT CONSUMER FUNDS**

Upon review of the Class Plaintiffs' Status Report and Motion for Final *cy pres* Distribution, and any response thereto, it is hereby ORDERED as follows:

1. Class Plaintiffs' Motion for payment of fees and expenses of the Administrator in the total amount of \$115,297.46 is GRANTED.
2. Class Plaintiffs' Motion for final *cy pres* distribution of the remaining Track Two TPP fund to City of Hope is also GRANTED. The Court finds that the cost of making a third distribution to consumer claimants would be prohibitive and that the City of Hope is an appropriate recipient of the remaining consumer funds.

DATE: \_\_\_\_\_, 2018

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Hon. Patti B. Saris  
United States District Judge